IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 1109/2006
(Hardeep Singh Vs. State of Rajasthan)

Date of Order : 27/10/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Dron Kaushik for the petitioner.
Mr. Ashok Upadhyay, public prosecutor.

BY THE COURT:-

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order dated 26.6.2006 passed by Judicial Magistrate, Ist Class, Pilibanga (for short 'the trial court' hereinafter) and the order dated 22.7.2006 passed by learned Sessions Judge, Hanumangarh (for short 'the revisional court' hereinafter) affirming the order passed by the trial court.

The only point argued by learned counsel for the petitioner is that the trial court directed to release the tractor in question on furnishing bank guarantee for a sum of Rs. 1 lac, but no period has been stipulated in the order. The bank guarantee for such amount if obtained for indefinite period then the petitioner would be put to substantial loss and therefore, learned counsel submits that the petitioner is prepared to furnish bank

guarantee for a period of one year.

Having regard to the facts and circumstances of the case, the order passed by the trial court and affirmed by the revisional court is modified to the extent that the tractor in question shall be released in favour of the petitioner on supardginama on his furnishing bank guarantee of Rs. 1 lac for a period of one year. The trial court is directed to decide the main case within a period of one year from the date of receipt of certified copy of this order or from the date of filing of the bank guarantee taking up the case on priority basis.

With this modification, the petition stands disposed of.

(H.R.PANWAR),J.

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